

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Christopher Antonio Johnson,)	Case No.: 4:22-cv-3440-JD-KDW
)	
Plaintiff,)	
)	
vs.)	
)	ORDER AND OPINION
James Hudson,)	
)	
Defendant.)	
)	

This matter is before the Court with the Report and Recommendation (“Report”) of United States Magistrate Judge Kaymani D. West, made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02(B)(2)(d) of the District of South Carolina.¹ (DE 10.) Plaintiff Christopher Antonio Johnson (“Plaintiff” or “Johnson”), proceeding *pro se*, brought this action pursuant to 42 U.S.C. § 1983, alleging violations of his Fourteenth Amendment rights by Defendant James Hudson (“Defendant” or “Hudson”) stemming from an arrest in Lamar, South Carolina, on August 9, 2022. (DE 1.)

On October 12, 2022, the Court issued an Order notifying Plaintiff that his Complaint was subject to summary dismissal because he failed to allege sufficient factual allegations to state a claim. (DE 10.) The Order further advised Plaintiff he had until November 28, 2022, to file an amended complaint or otherwise cure the identified deficiencies in his pleadings. (DE 10, p. 3.) Plaintiff did not file a response to the October 12, 2022, Order. The Report was issued on

¹ The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the magistrate judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

December 13, 2022, recommending that Plaintiff's Complaint be dismissed for failure to cure the deficiencies identified in the Complaint within the time provided. (DE 17.)

Plaintiff has not filed an objection to the Report. In the absence of objections to the Report and Recommendation, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983). The Court must "only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005).

Accordingly, after a thorough review of the Report and Recommendation and the record in this case, the Court adopts the Report (DE 17) and incorporates it herein.

It is, therefore, **ORDERED** that Plaintiff's Case is dismissed without leave for further amendment.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "Joseph Dawson, III". The signature is written in a cursive, flowing style with a large initial "J" and "D".

Joseph Dawson, III
United States District Judge

Florence, South Carolina
April 7, 2023

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified that he has the right to appeal this order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.